

# STATE OF COLORADO

John W. Hickenlooper, Governor  
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Interim Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

CERTIFIED MAIL #7012 3050 0002 0285 5804

Return Receipt Requested

August 8, 2013

Greg Lewis  
Phil Winslow Motors, Inc. dba Winslow BMW of Colorado Springs  
730 North Circle Drive  
Colorado Springs, CO 80909

RE: Inspection of Phil Winslow Motors, Inc. dba Winslow BMW of Colorado Springs Located in El Paso  
County, Colorado

Dear Mr. Lewis:

On June 13, 2013, I conducted an unannounced complaint inspection on behalf of the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division") of Phil Winslow Motors, Inc. dba Winslow BMW of Colorado Springs's tire retailer (waste tire generator) operations located at 730 North Circle Drive in Colorado Springs, CO. The purpose of the inspection was to evaluate the facility's compliance with the requirements set forth in the Solid Wastes Disposal Sites and Facilities Act (the "Act"), C.R.S. § 30-20-100.5 *et seq.*, the Strategies for Motor Vehicle Waste Tires, C.R.S. 25-17-201 *et seq.*, and with the Regulations pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (the "Regulations").

Based upon the results of the inspection, the Division has determined that the facility is operating in compliance with waste tire requirements set forth in the Act and Regulations. Enclosed is a copy of the Solid Waste Inspection Worksheet. If there are any questions regarding this letter or the inspection, please contact me at (303) 692-3305 or Charles Johnson at (303) 692-3348.

Sincerely,

Shana Baker, Environmental Protection Specialist  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Division

Charles G. Johnson, Manager  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Division

Enclosures

File: SW/ELP/1883/3.9.3

## SOLID WASTE INSPECTION WORKSHEET

Agency: Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division

Date: June 13, 2013 Times: 11:10 AM-11:40 AM

Subject Property: Phil Winslow Motors, Inc. dba Winslow BMW of Colorado Springs  
730 North Circle Drive  
Colorado Springs, CO 80909

Inspector: Shana Baker, Environmental Protection Specialist

Inspection: Complaint, unannounced

Representatives: Greg Lewis, Chief Financial Officer and Larry Holmes, Service Manager

File Code: SW/ELP/1883/3.9.3

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On June 13, 2013, the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division"), conducted an unannounced complaint inspection of Phil Winslow Motors, Inc. dba Winslow BMW of Colorado Springs' ("Winslow BMW") tire retailer (waste tire generator) operations located at 730 North Circle Drive in Colorado Springs, CO. Present for the inspection was Greg Lewis, Chief Financial Officer Larry Holmes, Service Manager, and myself. This inspection report summarizes the observations and information learned during the inspection.

The purpose of the inspection was to evaluate compliance of the subject property with the requirements set forth in the Solid Wastes Disposal Sites and Facilities Act, CRS 30-20-100.5 *et seq.*, C.R.S. § 30-20-100.5 *et seq.*, the Strategies for Motor Vehicle Waste Tires, C.R.S 25-17-201 *et seq.*, and with the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (the "Regulations").

### **--Site Background--**

On July 31, 2012 the Division received a complaint that the subject property was generating waste tires without having received a Waste Tire Certificate of Registration as a Tire Retailer/Wholesaler/Fleet Service Facility from the Division. A file review of the Division's records confirmed that the subject property did not have a Waste Tire Certificate of Registration on file. On August 1, 2012 the Division mailed a Waste Tire Compliance Information Registration Requirements postcard to Winslow BMW located at 730 North Circle Drive in Colorado Springs, CO 80909. A June 10, 2013 file review of the Division's records reconfirmed that the subject property still did not have a Waste Tire Certificate of Registration as a Tire Retailer/Wholesaler/Fleet Service Facility. Pursuant to Section 10 of the Regulations, no person shall accumulate waste tires as a Tire Retailer, Wholesaler, or Fleet Service Facility without having received a Certificate of Registration from the Division.

### **--Site Inspection--**

At the start of the inspection, I identified one of the persons in charge, Mr. Larry Holmes, Winslow BMW Service Manager. I stated the reasons for the inspection were to follow up on a complaint submitted to the Division alleging that the property was generating waste tires without having received a Waste Tire Certificate of Registration as a Tire Retailer/Wholesaler/Fleet Service Facility and to determine compliance with the Act and the Regulations. Mr. Holmes granted me access to the property for purposes of conducting the inspection.

Mr. Holmes informed me that the business generates waste tires when new tires are sold and the old tires are replaced with the newly purchased ones. Mr. Holmes indicated that the facility contracts with a waste tire hauler who collects their waste tires one to two times a month. It is estimated that Winslow BMW generates approximately fifty to eighty waste tires a month. I informed Mr. Holmes that the Division did not have a Waste Tire Certificate of Registration for Winslow BMW as a Tire Retailer/Wholesaler/Fleet Service Facility on file. Mr. Holmes was unable to produce a Waste Tire Certificate of Registration as a Tire Retailer/Wholesaler/Fleet Service Facility.

Winslow BMW's management of waste tires was reviewed and discussed. I was introduced to Mr. Greg Lewis, Chief Financial Officer, who was responsible for maintaining Uniform Waste Tire Manifests (Form WT-2). Mr. Lewis was able to produce Uniform Waste Tire Manifests (Form WT-2) for calendar years 2011 through 2013. The manifest review revealed that Winslow BMW is using a waste tire hauler who is registered with the Division. I observed forty waste tires stored outside behind the building. Mr. Holmes indicated that the back of the facility is gated and the gates are locked at night. Mr. Holmes stated that there have not been problems with people looking for salvage tires by sorting through Winslow BMW's waste tires. As an alternative to exterior security measures, waste tires can be stored inside the building. There was no litter or vegetation observed around the area used to store waste tires.

At the conclusion of the inspection, I informed Mr. Lewis and Mr. Holmes of my inspection observations. Winslow BMW is not registered as a Tire Retailer/Wholesaler/Fleet Service Facility. The tire retailer regulatory requirements were reviewed with Mr. Lewis and Mr. Holmes and prior to leaving the facility, the following documents were left for review and submittal:

- Form WT-1 Waste Tire Certificate of Registration Application
- Requirements for Tire Retailers, Wholesalers, & Fleet Services, Requirements Compliance Bulletin

I explained to Mr. Lewis how Winslow BMW could come into compliance with the Regulations. Mr. Lewis completed Form WT-1, registering as a Tire Retailer/Wholesaler/Fleet Service Facility while I was on-site.

On June 26, 2013, the Division issued Winslow BMW a Waste Tire Certificate of Registration Number of 1873 and associated Waste Tire Facility decal.

### **--Findings--**

Winslow BMW is in compliance with waste tire requirements set forth in the Act and the Regulations.

Note: The requirements set forth herein shall **not** supersede, or absolve the transporter from complying with, local county, municipality and fire district requirements.

Prepared by:

Shana Baker, Environmental Protection Specialist  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Program

Signature: Shana L Baker Date: 8/7/13

Reviewed by:

Charles G. Johnson, Manager  
Solid Waste and Materials Management Program  
Hazardous Materials and Waste Management Program

Signature: Charles G Johnson Date: 8/7/13

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GREG LEWIS  
PHIL WINSLOW MOTORS  
730 N CIRCLE DR  
COLORADO SPRINGS CO 80909

**COMPLETE THIS SECTION ON DELIVERY**

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*Michael M. [Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

13 Aug 13

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If YES, enter delivery address below: ☐ No

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PS Form 3800, August 2006

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